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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JOSE MARIA ROBLEDO MEZA,</p> <p>Petitioner,</p> <p>v.</p> <p>ERIC H. HOLDER, Jr., Attorney General,</p> <p>Respondent.</p>
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No. 08-72251

Agency No. A037-732-564

MEMORANDUM\*

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted November 16, 2010\*\*

Before: TASHIMA, BERZON, and CLIFTON, Circuit Judges.

Jose Maria Robledo Meza, a native and citizen of Mexico, petitions for review of the Board of Immigration Appeals’ order dismissing his appeal from an immigration judge’s (“IJ”) removal order. Our jurisdiction is governed by 8 U.S.C. § 1252. We review de novo constitutional claims, *Khan v. Holder*, 584

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

F.3d 773, 776 (9th Cir. 2009), and we dismiss in part and deny in part the petition for review.

We lack jurisdiction to review the agency's discretionary denial of relief under former section 212(c) of the Immigration and Nationality Act, 8 U.S.C. § 1182(c) (repealed 1996). *See* 8 U.S.C. § 1252(a)(2)(B)(ii); *Vargas-Hernandez v. Gonzales*, 497 F.3d 919, 923 (9th Cir. 2007).

Robledo Meza's contention that the IJ refused to allow Robledo Meza and his witnesses to testify is not supported by the record. *See Lata v. INS*, 204 F.3d 1241, 1246 (9th Cir. 2000) (requiring error to establish a due process violation).

Robledo Meza's substantive due process claim fails because he has not alleged the precise terms of any promise made to him by the government. *See Morgan v. Gonzales*, 495 F.3d 1084, 1091 (9th Cir. 2007).

**PETITION FOR REVIEW DISMISSED in part; DENIED in part.**